

REMARKS

Claims 1-16 are pending in the present application. Claims 12-14 and 16 are withdrawn from consideration. Claims 1-9, 11 and 15 have been rejected. Claims 10 and 15 have been objection to. Claims 1 and 15 have been amended. Support for amended claim 1 is present in the specification at page 8, lines 17-20. No new matter is added. Claims 7 and 8 have been canceled.

The Examiner has objected to claim 10 under 37 CFR 1.75(c) as being in improper form, and therefore has not been treated on the merits by the Examiner. Applicants have amended claim 15 to overcome the objection. Examination of claim 15 is respectfully requested.

The Examiner has objected to claims 1-11 and 15 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse the rejection.

It is respectfully pointed out that that one of ordinary skill in the art understands the scope of the present invention where the claims recite specific ASTM standards. Applicants note that ASTM standards, (American Society for Testing and Materials) have been established and widely accepted. Furthermore, ASTM standards are clearly written specifications or test methods and are commonly used.

The examiner is also respectfully requested to notice that two of the claimed ASTM test methods are cited by their specific revision number; ASTM D 56-82 (the 1982 revision of ASTM D 56) and ASTM D 1133-94 (the 1994 revision of ASTM D 1133).

Indeed, the United States Patent and Trademark Office has historically, and continues to, issue US patents containing ASTM standards. For example, see claim 1 in US patent nos: 6627832, 6627303, 6626664, and 6626531, among many others, all of which issued on 9/30/03 and all of which reference ASTM standards without recitation of any further detail as to standard procedure.

Given the detail of the recitation, Applicants urge that the claims meet the requirements of 35 U.S.C. §112. Withdrawal of the rejection is respectfully requested.

The Examiner has rejected claims 1-4 and 8 under 35 USC 102(b) as being anticipated by US 5,116,526 to Magid and US 4,961,869 to Eggers et al. In response both rejections Applicants have amended claim 1 to remove inclusion of dicholoropentafluoropropane. Reconsideration is respectfully requested.

The Examiner has rejected claims 1-5, 7, and 11 under 35 U.S.C. 102(e) as being anticipated by US 5,814,595 to Flynn et al. Applicants traverse the rejection. US 5814595 is specific to binary compositions, wherein the compositions include an ether and an organic solvent. Applicants' claimed invention, as amended, is directed to a composition having specified weight percentages of three components which are non-flammable and has specific cleaning power, expressed by the Kauri-Butanol value in the claim 1. Applicants respectfully request reconsideration of the rejection.

The Examiner also rejected claims 1-5, and 7 under 35 U.S.C. 102(e) as being anticipated by US 5,827,466 to Merchant et al. In view of Applicants' amendments filed herewith, reconsideration of the rejection is respectfully requested.

The Examiner has rejected claims 1-6 and 11 under 35 U.S.C. 102(e) as being anticipated by US 5,250,208 to Merchant et al. Claim 1 has been amended. In view of Applicants' amendments filed herewith, reconsideration of the rejection is respectfully requested.

The Examiner has rejected claims 1-6 and 11 under 35 U.S.C. 102(e) as being anticipated by US 5,196,137 to Merchant et al. Claim 1 has been amended. In view of Applicants' amendments filed herewith, reconsideration of the rejection is respectfully requested.

In view of the amendments, Applicants believe all claims are allowable. Withdrawal of the objection of claim 10 is requested.

In view of the foregoing, reconsideration and allowance of claims Claims 1-9, 11 and 15 are respectfully requested.

Respectfully submitted,



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